

AGENDA TITLE:

Denial of Verified Claim(s) against the City of Lodi

MEETING DATE:

May 4, 2005

PREPARED BY:

Risk Management

RECOMMENDED ACTION:

To approve by motion action, denial of the following verified claim

filed against the City of Lodi.

(A)

Catherine Conrado

DOL: December 2, 2004

(B)

Sanborn Chevrolet

DOL: March 11, 2005

BACKGROUND INFORMATION:

FISCAL IMPACT:

N/A

FUNDING AVAILABLE:

None Required

cc: City Attorney
DB Claims

APPROVED:

Blair King City Manager

CITY COUNCIL

JOHN BECKMAN, Mayor SUSAN HITCHCOCK Mayor Pro Tempore LARRY HANSEN JOANNE MOUNCE BOB JOHNSON

CITY OF LODI

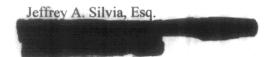
CITY HALL

221 WEST PINE STREET, P.O. BOX 3006 LODI, CALIFORNIA 95241-1910 HUMAN RESOURCES: (209) 333-6704 FAX (209) 333-6816 BLAIR KING City Manager

SUSAN J. BLACKSTON City Clerk

STEPHEN SCHWABAUER
City Attorney

Notice of Claim Rejection May 5, 2005



RE: Claim against the City of Lodi

Claimant: Catherine Conrado
Date of Loss: December 2, 2004

Our Claim Number: 97505

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on April 7, 2005 was rejected as of the date of this letter.

Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.7 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

X. Placht

Sincerely,

Susan Blackston

City Clerk

cc:

City Attorney DB Claims Risk Management City Clerk CITY COUNCIL

JOHN BECKMAN, Mayor SUSAN HITCHCOCK Mayor Pro Tempore LARRY HANSEN JOANNE MOUNCE **BOB JOHNSON**

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BLAIR KING City Manager

SUSAN J. BLACKSTON City Clerk

STEPHEN SCHWABAUER City Attorney

Notice of Claim Rejection May 5, 2005

Sanborn Chevrolet, Inc.

Attn: Dennis Calton

RE:

Claim against the City of Lodi

Claimant:

Sanborn Chevrolet, Inc.

Date of Loss:

March 11, 2005

Our Claim Number:

97405

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on April 6, 2005 was rejected as of the date of this letter.

Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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x. Sleelt

Sincerely.

Susan Blackston

City Clerk

cc:

City Attorney DB Claims Risk Management City Clerk